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GP 3761
U. Douglas
#3/Election
3/31/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicants | : | Mordechai Turi et al. |
| Serial No. | : | 09/176,634 |
| Filing Date | : | October 22, 1998 |
| For | : | Disposable Elastic Absorbent Article Having Retaining Enclosures |
| Art Unit | : | 3761 |
| Examiner | : | Paul Shanoski |

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RESPONSE TO ELECTION/RESTRICTION

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

SIR:

This will confirm the telephone interview on March 17, 2000 between the undersigned attorney and the examiner, Mr. Paul Shanoski. During the telephone interview, applicants' attorney and the examiner discussed the election/restriction requirements set forth in the Office Action dated February 23, 2000. The Examiner indicated that he will set forth the understanding reached on the election/restriction in an Interview Summary to be mailed to applicants.

During said interview claims 1 and 3 were discussed and the examiner indicated that these claims were patentably distinct from one another with respect to paragraph (b) relating to the "absorbent core member" and required election/restriction unless, as set forth on page 3, first full paragraph of the Office Action, applicants "submit evidence or identify such evidence now of record showing the species to be

obvious variants or clearly admit on the record that this is the case." The examiner requested that applicants notify the examiner, in writing, regarding their position. Accordingly, in compliance with the examiner's direction during said interview, applicants hereby state that claim 3 is not patentably distinct from claim 1 as far as the description of the "absorbent core member" is concerned.

If there are any questions regarding this response, please call the undersigned attorney.

Respectfully submitted,



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Under 37 C.F.R.1.8(a)

It is hereby certified that the within Response To Election/Restriction is being deposited with the United States Postal Service in a postage prepaid envelope, first-class mail, addressed to Hon. Commissioner for Patents and Trademarks, Washington, D.C. 20231, on this 20th day of March, 2000.


Nancy Soto